



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa3199/1
DAK:lmk:rs

ASSEMBLY AMENDMENT ,
TO 2005 SENATE BILL 731

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 14, line 21: delete that line and substitute:
- 3 "55.03 (1) AGENCY AS GUARDIAN. No agency acting as a".
- 4 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa3200/1
DAK:lmk:rs

ASSEMBLY AMENDMENT ,
TO 2005 SENATE BILL 731

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 14, line 23: after "chapter" insert "unless the guardian is an individual
3 and receives court approval for the provision".

4 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa3201/1
DAK:lmk:jf

**ASSEMBLY AMENDMENT ,
TO 2005 SENATE BILL 731**

1 At the locations indicated, amend the bill as follows:

2 1. Page 38, line 8: delete "November 1, 2006" and substitute "January 1, 2007".

3 (END)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

10/16/06

DAK add to Inserts

M = merged

From 0496/PI (Rev Bill)

✓ M 46.21 (2m)(c)

✓ M 46.215 (1m)

✓ M 46.22 (1)(dm)

✓ M 46.23 (3)(e)

✓ M 51.10 (8)

✓ M 51.40 (2)(a) 1.

✓ M 51.40 (2)(a) 2.

✓ M 51.42 (3)(e)

✓ M 51.437 (4r)(b)

~~54.42 (1)(a)(intro.) - commas~~

✓ 55.01 (6p) - fix "protective placement"

~~55.043 (4)(b) - commas~~

✓ 55.055 (3)(c) other facility

✓ 55.12 (6) shall ~~place~~ provide

✓ 55.135 (5) be ~~provide~~ provided

~~55.11 (1) with which, contract~~

M? ~~813.123 (5)(a) 3.b. delivery to the~~
widiv at risk

~~813.123 (5)(c) 1. terms,~~

~~880.01 (RM) on Act 264 - RN 54.01 (8)~~

DAK check this 880.33 (2)(f) RN 54.44 (5m) + Am
(title) Partic by Int Pers.

✓ M 55.195

~~54.250 (RM)~~

✓ DAK check this 880.384 (Act 264) & RP

✓ Act 264, sec 108 another home, wh, or other

✓ 135 02

✓ 154 protective placement



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

✓ Act 387, sec 185 879
 ✓ 574 , shall may
 ✓ 388 175 adult-at-risk agency



Kennedy, Debora

From: Betsy Abramson [abramson@mailbag.com]
Sent: Friday, October 06, 2006 8:32 AM
To: Kennedy, Debora; Rose, Laura
Subject: SB 731 - two answers

Well, am working on the Dianne two questions and the one venue. In the meantime, I have two answers to our questions.

For 54.36(1) Examination of proposed ward. We had some discussion about why once in that paragraph the word [physician's] "statement" is used and at least six other times it's "report." The elder law gang said change the word "statement" to "report" - i.e., - all should say "report."

In 46.90(6) (b)2 and 3 and its counterparts 55.043(1m)(b)2 and 3, the provisions permit ("may") the counties to "interview" the individual-at-risk, IN PRIVATE TO THE EXTENT PRACTICABLE, with or w/o the consent of the guardian or agent under an activated health care poa. Under the provision right above or below it, the provision permits the counties to "observe" the individual-at-risk, with or w/o the consent of blah blah. You asked whether BOTH the interview and observing should be "private to the extent practicable." Jane and I talked about it. We like them the way they are - interview in private (if practicable), but observe just like it is. So, no need to touch that one.

Will let you know when I get other answers. Always fun to be with you both. I have decided that when you were both little girls, you must have really studied those Highlights magazines in dentists' offices where they have two very very similar pictures and you're supposed to figure out what's different in the second one. Aha! This tree's branch has four veins showing and the other one has five! Or this girl's hair has the ribbon on the top and the other one has the ribbon off to the side, or whatever. Is that when you knew you'd be good at this? B/c I could never see those things - of course was usually fretting about maybe having cavities from eating too many fermented apricots.

:)

Betsy

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Act 387 (SB 731) - deletes the "therapeutic value" language in 51.20(7)(d) on page 8.
<http://www.legis.state.wi.us/2005/data/acts/05Act387.pdf>

Because Act 387 is later, it will be the law - i.e., deleting the "therapeutic value" language. Are you ok with that?
Otherwise, am working with Debora and Laura on revision of reconciliation bill - and we could make some changes - maybe....

Thoughts?
Thanks.
Bets

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Kennedy, Debora

From: Betsy Abramson [abramson@mailbag.com]
Sent: Friday, October 06, 2006 9:55 AM
To: Kennedy, Debora; Rose, Laura
Subject: Fw: #2: Another Guard/APS-related reconciliation question

One more answer in: - in 55.14(9) the word should be changed to MAY, not shall as is currently there. Corp Counsel should, according to Dianne, have discretion, not be required to file this thing.
On we go!
BA

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----- Original Message -----

From: Dianne Greenley
To: Betsy Abramson
Sent: Friday, October 06, 2006 9:35 AM
Subject: RE: #2: Another Guard/APS-related reconciliation question

I think it should be may -- so corp counsel has discretion about whether to file -- it may not always be a good idea.

Dianne Greenley
Supervising Attorney
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PLEASE NOTE NEW AGENCY NAME, E-MAIL ADDRESS, AND TTY NUMBER

From: Betsy Abramson [mailto:abramson@mailbag.com]
Sent: Friday, October 06, 2006 9:06 AM
To: Dianne Greenley
Cc: laura.rose@legis.state.wi.us; debora.kennedy@legis.state.wi.us
Subject: #2: Another Guard/APS-related reconciliation question

Dianne: In addition to the question I sent you on Wed., below, about whether or not to keep the "therapeutic value" in the standard for the invol admin of psych meds, here's another (the LAST question - at least from this go-round....) - for some reason question came up as to whether the capitalized word below should be "shall" or "may." I'm thinking "shall." And you?

(9) If an individual who is subject to an order under this section is not in compliance with the order b/c he or she

refuses to take psychotropic medication as order under the treatment plan, and it is necessary for the individual to be transported to an appropriate facility for forcible restraint for administration of psychotropic medication, the corporation counsel **SHALL** file with the court a statement of the facts which constitute basis for the noncompliance of the individual. The statement shall yada yada. Upon receive of the statement of noncompliance, if the court finds by clear and convincing evidence that the ind. has substantially failed to comply....the court may issue an order authorizing the sheriff or any otherto take the individua into custody and transport....for admin of psych med using forcible restraint, with consent of the guardian.

So, "shall" is right? Thanks. Earlier asked question below.

Sent: Wednesday, October 04, 2006 10:29 PM

Subject: Another Guard/APS-related reconciliation question

Dianne: Would have asked you this question today at e-health but had an emergency and couldn't come. Re: psych meds

Act 264 (AB 785) retains 51.20(7)(d) current law about meds having "therapeutic value"

<http://www.legis.state.wi.us/2005/data/acts/05Act264.pdf> (search for "therapeutic" and you'll find it.

Act 387 (SB 731) - deletes the "therapeutic value" language in 51.20(7)(d) on page 8.

<http://www.legis.state.wi.us/2005/data/acts/05Act387.pdf>

Because Act 387 is later, it will be the law - i.e., deleting the "therapeutic value" language. Are you ok with that? Otherwise, am working with Debora and Laura on revision of reconciliation bill - and we could make some changes - maybe....

Thoughts?

Thanks.

Bets

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Kennedy, Debora

From: Bruce Tammi [bruce@brucetammi.com]
Sent: Thursday, October 05, 2006 11:13 AM
To: 'Betsy Abramson'; 'Jim Jaeger'; 'beckerhickey_bjb'; 'Barbara Hughes'
Cc: Kennedy, Debora; Rose, Laura
Subject: RE: G Reform Q - doctor's statement/report

It was my idea to change from statement to report. The term report is used in most other civil cases to identify professional opinion statements reduced to writing.

Kennedy, Debora

From: Barbara J. Becker [beckerhickey_bjb@sbcglobal.net]
Sent: Thursday, October 05, 2006 10:31 AM
To: 'Betsy Abramson'; 'Jim Jaeger'; 'Barbara Hughes'; bruce@brucetammi.com
Cc: Kennedy, Debora; Rose, Laura
Subject: RE: G Reform Q - doctor's statement/report

Use report to make it clear—Barbara Becker

From: Betsy Abramson [mailto:abramson@mailbag.com]
Sent: Wednesday, October 04, 2006 10:31 PM
To: Betsy Abramson; Jim Jaeger; beckerhickey_bjb; Barbara Hughes; bruce@brucetammi.com
Cc: debora.kennedy@legis.state.wi.us; laura.rose@legis.state.wi.us
Subject: Re: G Reform Q - doctor's statement/report

Re-send - with Bruce Tammi's new e-mail address. Please reply to all of THESE. Thanks. BA

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----- Original Message -----

From: Betsy Abramson
To: Jim Jaeger ; beckerhickey_bjb ; Barbara Hughes ; tammi@execpc.com
Cc: debora.kennedy@legis.state.wi.us ; laura.rose@legis.state.wi.us
Sent: Wednesday, October 04, 2006 10:18 PM
Subject: G Reform Q - doctor's statement/report

Am working on the revised version of the Reconciliation bill of the 3 Guardianship/APS bills with the LRB drafter and Leg Council attorney. (This is the gift that keeps on giving!) Have a question for you all: new 54.36(1) - wondering why there's different use of the word "statement" and "report" - should they remain as drafted, or switch the reference to physician's STATEMENT to "report" or all references to physician's REPORT to "statement" or.....? Please advise ASAP.

Here it is - my emphasis, of course:

54.36 **Examination of proposed ward.** (1) Whenever it is proposed to appoint a guardian on the ground that a proposed ward allegedly has incompetency or is a spendthrift, a physician or psychologist, or both, shall examine the proposed ward and furnish a written REPORT stating the physician's or psychologist's professional opinion regarding the presence and likely duration of any medical or other condition causing the proposed ward to have incapacity or be a spendthrift. The privilege under s.9045.04 does not apply to the STATEMENT. The petition shall provide a copy of the REPORT to the proposed ward..... Prior to the examination on which the REPORT is based, the gal, physician or psychologist shall inform the proposed ward that statements made by the proposed ward may be used as a basis for a finding of incompetency or a finding that he or she is a spendthrift, that he or she has a right to refuse to participate in the examination, absent a court order, or speak to the phys or psych and that the phys or psych is required to report to the court even if the proposed ward does not speak to the phys or psych. The issuance of such a warning to the proposed ward prior to each examination establishes a presumption that the proposed ward understands that he or she need not speak to the phys or psych. Nothing in this section prohibits the use of a REPORT by a physician or psychologist that is based on an examination of the proposed ward by the phys or psych before filing the petition for appointment of

a guardian, but the court will consider the recency of the REPORT in determining whether the REPORT sufficiently describes the proposed ward's current state and in determining the weight to be given to the REPORT.

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Kennedy, Debora

From: Betsy Abramson [abramson@mailbag.com]
Sent: Wednesday, October 04, 2006 10:31 AM
To: Underwood
Cc: guardian@cwag.org
Subject: Re: guardianshp rights

Mr. and Mrs. Underwood:

This problem was definitely something that was not intended. We were trying to prevent AGENCY guardians (e.g., corporate guardians) from being both a provide of protective services and serving as guardian. As you know, we all supported the amendment to SB 731, the reconciliation bill, that would have corrected this. That bill did not pass as the Assembly did not go forward with it this summer. As I understand things, the fix is now part of the large reconciliation bill that Rep. Townsend and Sen. Olsen will be introducing as soon after 1/1/07 as possible.

Yes, I have talked to the drafter and we are all on board and want this in the reconciliation bill that we hope will be swiftly passed to deal with this issue, and a host of other small conflicts and/or duplications, etc. The reconciliation bill must be revised, because it will now be addressing effective law (since the relevant laws go into effective Nov. 1 and Dec. 1) rather than pre-effective date as was initially hoped. As soon as the bill draft is done and available, we will all be able to look at to make sure we've reinstated that provision as we all want it to be.

Again, the goal is to revise s. 55.03 to reflect that no AGENCY serving as a guardian may also serve as a provide of protective services. Thus, once passed, parents, other relatives or other individual guardians will, as is current law, be able to serve as both an individual (non-corporate, non-agency) guardian AND provider of protective services.

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----- Original Message -----

From: Underwood
To: Betsy J. Abramson ; Ellen Henningsen
Cc: Rep.Pridemore
Sent: Wednesday, October 04, 2006 9:55 AM
Subject: guardianshp rights

Betsy & Ellen:

Inquiring as to what steps are being taken to fix the "glitch", as it was called, in the rewrite of the guardianship laws that affected 55.03 of the State Stats so that parents who are also guardians of their disabled adult children are now prohibited by state law from providing protective placement or services to their own loved one.

At the public hearing held on July 6 on SB 731 in which we raised this issue, both of you assured us this could and would be fixed. You both repeatedly publicly assured us this was accidental, not intentional. So --- what is being done to fix it? Betsy, in your email of 5/19/2006 you indicated that you would talk to the drafter about how to fix it. Did you?

Hindsight is always 20/20 vision and it now seems rather clear that this "glitch" was not accidental, but intentional. And the link back to the Department of Health and Family Services is becoming a bit clearer.

I await word on what steps are being taken by both of you to fix the "glitch" and restore to parents who are guardians of their adult children, the right to provide both protective placement and protective services to them if they so choose.

Ellen, is the Guardianship Support Center on board to help restore to guardians the right to care for their own children when that child, even though that child is now an adult child, is disabled and in need of protective placement and protective services?

Thank you.

Rebecca Underwood
krr.underwood@verizon.net

GENERAL PRINCIPLES USED IN REDRAFTING SB 731

△ Problem w/
Revisor version
✓ DAK put in
bec. found was
merged by
Revisor

1. If affected by one act only, amend without reference to the act; use Revisor's numbering (see 46.90 (1) (eg) 1.)

2. If affected by two or more acts, repeal and recreate referring to the acts in the heading; use Act's (and Revisor's) numbering (see 46.286 (3) (a) 3.).

* 3. Make bill effective on date after publication. — LR ask Nancy Rottier

4. If first Act amends and second Act rennumbers and amends: repeal and recreate, referring to both acts (even though someone reading the first Act will not find the correct number in it).

5. If first Act rennumbers and amends and second Act amends, same as in No. 4 above.

6. Consider: if first Act rennumbers and amends and second Act repeals, Revisor *usually* gives effect to repeal; may be necessary to create if want what first Act did.

7. Consider: if first Act repeals and second Act rennumbers and amends, Revisor gives effect to repeal; may be necessary to create if want what first Act did.

8. Delete voiding, because are now dealing with current law, not acts that have not yet taken effect; if necessary, repeal.

9. Do not delete from SB 731 important text that is also in Revisor's bills; his bills may not pass any time soon.

~~10. Delete from SB 731 when exact material that is wanted is in the galley proofs.~~

* 11. Put in SB 731 cross-ref. changes Revisor has found in
Rev Docs I, II, or III

DIFFERENCES IN AUTHORITY REVISOR CITES IN GALLEY PROOFS

13.93 (1) (b) Allows Revisor on his own to renumber chapters or statutory sections and change cross references.

13.93 (2) (c) Requires Revisor to incorporate into the printed statutes changes made by two acts that are not mutually inconsistent and to document the incorporation in a note to the statutory section; Revisor must include in a correction bill a provision formally validating the incorporation.

unless SB 731 is same; if that's
so, re

12. When Revisor merges, amend as affected by Acts
13. " " prints as mutually inconsistent, re as aff'd by Acts
14. If Revisor prints w/ bracketed material (only one act), amend

If Revisor finds sections affected by two or more acts mutually inconsistent, he prints each version, with a note, and does nothing more.

CHANGES TO BE MADE TO 2005 SB 731

p. 2— 46.286 (3) (a) 3.: incorrect cross reference

✓ Proposed: Change from “designated under s. 55.02” to “designated under s. 55.043 (1d)”

p. 4— 49.001 (8) — LR will look at

p. 5— 51.10 (14): Revisor has printed as mutually inconsistent (as affected by all 3 acts)

✓ Proposed: Leave as is in SB 731; add Act 388 to heading; delete voiding of 51.01 (3g) by Act 388

✓ p. 5— 51.03 (3) (a) 6.: SB 731 makes sense of the two acts, but Revisor has printed and has in Rev. Doc. III a version that doesn't work

△ Proposed: Ask BH to remove from Rev Doc III

BA will check w/ Draugh Greenleaf to see if
pp. 5 & 6— 51.20 (7) (d) 1. (intro.), a. & b.: SB 731 gives effect to Act 264 (Act 387 repeals a. & b. and rennumbers (intro.). Revisor has printed & has in Rev. Doc. III the Act 387 version

Proposed: Ask BH to remove from Rev Doc III

Standards for temp. prot. services + unemp to refuse are OK (chs 51-55)

DAK: Put in SB 731
From Bruce Hoesly: 51.30 (4) (b) 17.: cross reference change necessary (language “designated under s. 55.02 for purposes of s. 55.043” should be “designated under s. 55.043 (1d)”; Revisor has printed with brackets & has in Rev Doc III

Proposed: ??? Include in SB 731? Leave for Revisor to handle? (Note that this problem also exists for 146.82 (2) (a) 7.) (also in Rev Doc III) D-N

✓ p. 6— 54.01 (8) — Revisor has printed as mutually inconsistent; keep as is in SB 731

From Bruce Hoesly: 54.01 (13): cross reference to “45.385” is incorrect bec. of 2005 Act 22; shd be to “45.50”; Revisor has printed with brackets & has in Rev Doc III

Proposed: ~~Leave for Revisor to handle.~~ Include. DAK add D Note asking if it's ok to include. D-N

△ ✓ p. 7— 54.10 (3) (d): cross reference change necessary; Revisor has printed and has in Rev Doc III, but Revisor's version may be too narrow?

Proposed: Keep SB 731 version; Ask BH to remove from Rev Doc III

✓ From Bruce Hoesly— 54.15 (6): “i” should be “in”; is not printed bracketed by Revisor; is not included in a Rev Doc

Proposed: ~~Leave for Revisor to handle.~~ Include in SB 731 D-N

✓ 54.25 (1) (a) Revisor has printed as merged; put in D-N
SP-731

p. 7— 54.25 (2) (b) 4.: cross reference change necessary; Revisor has printed and has in Rev Doc III, but Revisor's version may be too broad? (55.135 should be 55.135 (1))

△ ✓ Proposed: Keep SB 731 version; Ask BH to remove from Rev Doc III

✓ 54.25 (2) (c) 1.g. Revisor has printed as merged; put in D-N
SB 731

From Guardianship CLE: 54.25 (2) (d) 2. a.: cross reference to limitation under 54.46 (3) (b) should probably be to 54.46 (2) (b) (if ward has a pwr of atty for health care; 54.46 (3) (b) refers to GAL fees) (NOTE: Is part of greater problem about et approval of vol. admin. of psychotrop med.?)

✓ Proposed: ?? Change cross reference to "designated under s. 55.043 (1d)"?; trailer bill?

DAK: write D-NOTE; include in SB 731

54.34 (2m) - renumbered by Revisor; include in SB 731

p. 8— From Guardianship CLE: 54.36 (1): "statement" should be "report"

✓ Proposed: ?? Change "statement" to "report"?

BA will ask practitioners; depending on answer, DAK will include or not; if include, DAK write D-Note D-N

pp. 9 & 10— 54.40 (1): SB 731 gets cross references correctly, but perpetuates duplicate language; Revisor has printed a merged version, with bad cross reference, and in Rev Doc III fixes cross reference and takes out duplicative language. D-N

△ ✓ Proposed: Fix SB 731 version; ask BH to remove from Rev Doc III

From Bruce Hoesly: 54.40 (4) (am) and (ar), as afftd by Act 264 (renumbered from 880.331 (4) (am) and (ar)) are redundant to 54.40 (4) (c), as created in Act 387.

Proposed: ??? Repeal 54.40 (4) (am) and (ar)? Yes

✓ Include; DAK write D-Note

Also 54.40 (4) (am) + (ar): Include repeal of (dm) (check gallery)

p. 10— 54.48: Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III

Proposed: Delete from SB 731? No

54.42 (1) (a) Revisor has printed as merged, but does not have in any Rev Doc. Proposed: Include

p. 10— 54.75: Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III

Proposed: Delete from SB 731? No

p. 11— 55.001: Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III

Proposed: Delete from SB 731

Yes

D-N

54.46 (3) (a) merged by Revisor "If" rather than "who" D-N

✓ From Bruce Hoesly— 55.01 (1f): incorrect cross reference (55.043 (1) should be 55.043 (1d)); is printed in brackets and Revisor has in Rev Doc III

D-N

Proposed: Leave for Revisor to handle Include

54.42 (1) (a) (intro); merged by Revisor, include

54.40 (4) (ds); cross ref to 3 880.332 (2) (b) is incorrect; Revisor has printed in brackets and has in Rev Doc III

p. 12— 55.01 (4g), (6), (6d), (6g), (6t), created by Act 388: Revisor has printed renumbered under 13.93 (1) (b); has in Rev Doc III

Proposed: Delete from SB 731 No; ask Rev to remove

See ***
NOTE

pp. 13 & 14— 55.02, afftd by all three acts: Revisor has printed all provisions the same as set forth in SB 731 except 55.02 (1) (a) 1. and (2) (b) 3. (has no note in galley proofs about merger) and has (2) (b) 3. in Rev Doc III to fix cross reference the same as SB 731

Proposed: Delete from SB 731 all but 55.02 (1) (a) and (2) (b) 3.; DAK to decide: do I AM these or RC them, as afftd by acts?? No; include all

p. 14— 55.03 (1): Revisor has printed as merged under 13.93 (2) (c) and has in Rev Doc III; Revisor's language is what K. Underwood objected to

Proposed: RC in SB 731 as in amendment (2005a3199/1); delete voiding of 55.03 by Act 387 and add Act 387 to heading; ask BH to remove from Rev Doc III.

D-N

From Bruce Hoesly— 55.043 (1r) (a) 2.: the cross ref to "pars. (b) to (g)" should be "pars. (b) to (d)"; Revisor has printed in brackets and has in Rev Doc III

D-N

Proposed: Leave for Revisor to handle No

55.043 (1r) (b) 2. - BA will ask if shd be merged w/ 3. Revisor has printed w/o comment.

Answer: No, they are OK as is

p. 15— 55.043 (4) (am): Cross reference change; Revisor has printed with brackets BUT has used "and," rather than "or"; has in Rev Doc III using "or"

Proposed: Keep in SB 731; ask BH to remove from Rev Doc III

55.043 (4) (b) 2. merged by Revisor, but galley proof has 2

"including"; ask to remove from Rev Doc III

pp. 15 & 16— 55.043 (6) (bt) 8.: Cross reference change; Revisor has printed with brackets and has in Rev Doc III

Proposed: Delete from SB 731 No; ask BH to remove from Rev Doc III

p. 16— 55.055 (1) (a): Merger of Acts 264 & 387. Revisor has printed same as in SB 731 under 13.93 (2) (c) and has in Rev Doc III

Proposed: Delete from SB 731; delete voiding for s. 55.05 (5) (b) 1. for Act 387; add ref to Act 387 in heading

p. 16— 55.055 (1) (b): Merger of Acts 264 & 387. Revisor has printed same as in SB 731 under 13.93 (2) (c), and has in Rev Doc III

Proposed: Delete from SB 731; delete voiding for 55.05 (5) (b) 2. for Act 387; add ref. to Act 387 in heading? Yes

p. 17— 55.06: Merger of Acts 264 & 387. Is cross reference to 55.12 incorrect? Should it be s. 55.08 (1)? Revisor has printed as mutually inconsistent

55.043 (4) (b) 1. Include

D-N

✓ Proposed: Fix cross reference; delete voiding for 55.06 (1) (intro.) for Act 387 and add Act 387 to heading

pp. 17 & 18— 55.06 (3) (d), created by Act 387. This is renumbered to 55.075 (5) (bm) by Revisor and Revisor has in Rev Doc III. Cross reference difference: SB 731 refers to "sub. (1)" and Revisor to "par. (a)". Is SB 731 cross reference incorrect? D-N

✓ Proposed: (a) Fix cross-reference & keep in SB 731; ~~or~~ ask Revisor to remove from Rev Doc III D-N

(b) Delete from SB 731 and let Revisor handle No

✓ 55.075 (1) Revisor has merged and has in Rev Doc III correctly; has shown incorrect language as bracketed; included; ask R. to remove heading is wrong in Rev Doc III D-N

p. 18— 55.075 (3): Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III No

✓ Proposed: Delete from SB 731 and delete voiding of 55.06 (4) for Act 387 Yes

* p. 18— 55.075 (5) (a): added Act 387 to heading and deleted voiding of 55.06 (3) (c) by Act 387. Revisor has printed as mutually inconsistent. BA will ask DHS D-N

p. 19— 55.08 (1) (b): Revisor has merged under 13.93 (2) (c) and has in Rev Doc III, but differs from SB 731 because uses "to be developmentally disabled," rather than "to have developmental disability" (which agrees with definition change in SB 731) a

✓ Proposed: Keep SB 731 version; add Act 387 to heading and delete voiding of 55.06 (2) (b) by Act 387; ask BH to remove from Rev Doc III. Yes

55.08 (1) (c): Revisor has merged and has in Rev Doc III; (is renumbered from 55.06 (2) (c)); include D-N

p. 19— 55.09 (1): (Act 264 RA 55.06 (5); Act 387 AM 55.06 (5); Revisor has printed with bracketed surplusage and has in Rev Doc III the same as SB 731.

✓ Proposed: Delete from SB 731; delete 55.06 (5) from Act 387 voiding section; and ask Revisor to remove No

AM; 55.10 (4) (intro.) D-N

p. 20— 55.10 (4) (a): Cross reference change from "880.33" to "54.10"; is not affected in printed statutes; Revisor has changed to "ch. 54" in Rev Doc III No

Proposed: (a) ?? Delete from SB 731?? — change to "ch 54" Yes

(b) Change SB 731? Is Revisor's reference (broader) better? If change, ask Revisor to delete from Rev Doc III??? delete voiding of 55.06 (6) by Act 387 and add Act 387 to heading No; this applies to 55.10 (4) (b)

pp. 20 & 21— 55.10 (4) (b): Revisor has printed as merged (Acts 264 & 387) under 13.93 (2) (c) and has in Rev Doc III, but Revisor's version omits language about rts. in ss. 54.42, 54.44, and 54.46 that are in SB 731.

PROBLEM: Placement of this language in SB 731 should likely be in 55.10 (4) (intro.), rather than (4) (b) Yes

FURTHER PROBLEM: Revisor's changed cross ref (to 54.40 (4)) is narrower than SB 731 and does not include GAL responsibilities under 54.40 (3). use SB 731 version

55.075 (5) (bm) (note that this is under 55.06 (3) (d))

Proposed: (a) ??? Amend 55.10 (4) (intro.) and delete treatment of 55.10 (4) (b) in SB 731; let Revisor handle 55.10 (4) (b)?; ask Revisor to broaden cross-ref; delete voiding of 55.06 (6) by Act 387 ?? No

(b) ?? Leave 55.10 (4) (b) in SB 731 as is; delete voiding of 55.06 (6) by Act 387; ask Revisor to remove 55.10 (4) (b) from Rev Doc III?? No

✓ (c) ??? Amend 55.10 (4) (intro.) and change 55.10 (4) (b) in SB 731; delete voiding of 55.06 (6) by Act 387 ??? ; ask Revisor to remove 55.10 (4) (b) from Rev Doc III? D-N Yes

p. 21— 55.11 (1) (c): Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III No

✓ Proposed: Delete from SB 731; delete voiding of 55.06 (8) (c) by Act 387 Yes Ask Revisor to remove from Rev Doc III
✓ 55.135(1): Revisor has printed as merged; has bracketed surplusage; is in Rev Doc III D-N
55.14 (1) (b): Revisor indicates mutual inconsistency between Acts 264 and 387; does not have in any Rev Doc (intro.)

✓ Proposed: add to SB 731, but which version? (see 880.01 (7m)) Add Act 264 version D-N

p. 23— 55.14 (2): Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III

✓ Proposed: Delete from SB 731 No; ask Revisor to remove from Rev Doc III

pp. 23+24— 55.14 (3) (e) (intro.): Revisor has printed as mutually inconsistent; SB 731 has Act 387 version; Keep SB 731 as is.
p. 24— 55.14 (3) (e) 1.: Revisor has printed without comment the same as set forth in SB 731 No

✓ Proposed: Delete from SB 731 No Revisor has printed (8) (b), rather than (8) (b)(g) Amend. D-N (has apparently used later act's incorrect, x-ref)

p. 24— 55.14 (5): Revisor has merged Acts 264 & 387 under 13.93 (2) (c) the same as set forth in SB 731 (with bracketed cross-ref fix) and has in Rev Doc III

△ Proposed: Delete from SB 731 No; Ask Revis to remove from Rev Doc III
? Revisor brackets incorrect cross-ref (Act 387)

pp. 24 & 25— 55.14 (7): Revisor has merged Acts 264 & 387 under 13.93 (2) (c) and has in Rev Doc III, but Revisor's version is incorrect; refers to hearing under 55.10 (4) (a), rather than appointment of counsel

△△ Proposed: Keep SB 731 version; ask BH to remove from Rev Doc III Yes

p. 25— 55.14 (8) (a): Revisor has merged Acts 264 & 387 under 13.93 (2) (c) and has in Rev Doc III, but Revisor's version differs from SB 731

✓ Proposed: (a) ?? Keep SB 731 version; ask BH to remove from Rev Doc III ?? Yes

(b) ?? Delete from SB 731 ?? No

pp. 25 & 26—55.14 (9): Revisor has printed as merged under 13.93 (2) (c) and has in Rev Doc III (a bit differently from printed statute), but Revisor's version is that of Act 387 (corp. counsel *shall* file statement of facts, whereas SB 731 takes Act 264 version (may)

Proposed: ~~Keep~~ in SB 731; ask BH to remove from Rev Doc III; see change on p. ~~25~~ ²⁵ use "shall" ~~"may"~~

DAK: Do I amend this or keep heading as is?

p. 26— 55.14 (10): Revisor has printed as merged under 13.93 (2) (c), with bracketed language that "indicates the less specific cross-reference" and has in Rev Doc III using 55.13, the same as in SB 731

Proposed: ~~Delete~~ from SB 731 (No); Ask Revisor to remove

p. 26— 55.14 (11): Revisor has printed as merged under 13.93 (2) (c) the same as set forth in SB 731 and has in Rev Doc III.

Proposed: ~~Delete~~ from SB 731 (No) Ask Revisor to remove

pp. 26 & 27— 55.15 (2): Same as above. Same

From Bruce Hoesly— 55.17 (1): ~~"it"~~ should be "which"; is not printed bracketed; is in Rev Doc I (D-N)

Proposed: Let Revisor handle. No; put in SB 731; ask Revisor to remove (date? > fix in SB 731)

p. 27— 55.175: Revisor has printed as mutually inconsistent (as afftd by Acts 264 & 387)

Proposed: Leave as in SB 731; add Act 387 to heading and delete voiding of 55.06 (14) by Act 387 Yes

p. 27— 55.18 (2) (a): Revisor has printed with correct cross-ref in brackets and has in Rev Doc III same as in SB 731

Proposed: ~~Delete~~ from SB 731 (No)

pp. 27 & 28— 55.18 (3) (a): Same as above. Yes

p. 28— 55.19 (intro.): Revisor, without indicating merger, merges Acts 264 & 387 (in effect, takes Act 387 version), and includes "In addition to or in conjunction with the annual review required under s. 55.06 (10) [s. 55.18]," and indicates bracketed cross ref is correct and has in Rev Doc III. SB 731 does not include this language (takes Act 264).

Proposed: (a) ?? Delete from SB 731?? (No); add "annually" after "performed" (D-N)
(b) ?? Add to SB 731?? (No)
(c) ?? Keep SB 731 as is and ask BH to remove from Rev Doc III? Yes

✓ 55.19 (1)(bm) - Keep as is in SB 731

pp. 28 & 29— 55.19 (1) (a) 1. (includes intro.) and a. to g.): Revisor has printed as merged under 13.93 (2) (c) and has in Rev Doc III same as in SB 731

Proposed: Delete from SB 731, but see below. ~~Yes~~ No; ask Revisor to remove

55.19 (1)(b) Revisor has printed as mutually inconsistent; keep 731, but change "following" to "in"; ask Rev to remove
pp. 29 & 30— 55.19 (1) (c): Revisor has printed, without comment, the version of 55.19 (1) (c) that is in Act 387; this duplicates s. 55.19 (1) (a) 1. (intro.) and a. to g. (see above); Revisor has this in Rev Doc III; SB 731 has very short (Act 264) version D-N ?

△ Proposed: Leave SB 731 as is and ask BH to remove from Rev Doc III Yes; Yes

p. 30— 55.19 (1m): Revisor has printed as merged under 13.93 (2) (c) and has in Rev Doc III the same as SB 731

Proposed: Delete from SB 731 (No); ask Revisor to remove

55.19 (2)(b) 3. ~~Keep as in SB 731; ask Revisor to~~

p. 30— 55.19 (2) (b) 5.: Revisor has merged under 13.93 (2) (c) the same as in SB 731 and has in Rev Doc III

Proposed: Delete from SB 731 (No); ask Revisor to remove

55.19 (2)(b) 6. Revisor says mutually inconsistent; Keep SB 731 as is

p. 31— 55.19 (2) (c): Same as above. Same

55.19 (2)(g) - Keep as in SB 731

p. 31— 55.19 (2) (f) 4.: Same as above. Same

p. 31— 55.19 (3) (b) (intro.): Same as above. Same (Keep)

△ p. 31— 55.19 (3) (bm): Revisor has printed, without comment, the version of 55.19 (3) (bm) that is in Act 387; is the same as in SB 731

Proposed: Delete from SB 731 (No)

55.19 (3)(b) SB 731 uses Act 387; change to Act 264 (shall) D-N

From Ellen Henningsen— 55.195: statute should also except reviews under s. 55.18 AND 55.18 should more clearly apply to Watts reviews and not to initials, non-annuals (transfers, etc.)

Proposed: ?? Trailer bill? Appropriate to include in SB 731??

p. 33— 55.22: Revisor has merged under 13.93 (2) (c) and has in Rev Doc III (55.06 (17) (b)) the same as SB 731.

Proposed: Delete from SB 731; delete voiding of 55.06 (17) (b) by Act 387 (Yes)

55.19 (3)(d) (intro) - Keep as is in SB 731 (Act 264)

55.19 (3)(e) 1. - Keep as is in SB 731

2. - " " " " " " " " " " " "

146.82(2)(a) 7. - same problem as 51.30(4)(b) 17.

D-N

p. 37--SEC. 102: This was a March 1, 2006, effective date for wild turkey hunting licenses.

Proposed: Delete. Yes

p. 37-- SEC. 104 (1) Voiding by Act 388

(a) 55.06 (2) (c): Revisor has merged Acts 264 and 388 under 13.93 (2) (c) as 55.08 (1) (c) and has in Rev Doc III.

Proposed: Delete. Yes

(b) 55.06 (11) (a): Revisor has merged Acts 264 & 388 under 13.93 (2) (c) as 55.135 (1) and has bracketed surplus language; has in Rev Doc III

Proposed: Delete Yes

p. 38-- SEC. 104 (2) Voiding by Act 387

(a) 55.06 (1) (a): Revisor has merged 55.075 (1) under 13.93 (2) (c) with Act 387 lang. bracketed as surplusage, same as SB 731; has deletion of Act 387 language in Rev Doc III

Proposed: Delete

(b) 55.06 (10) (c): Revisor did not print (repealed by Act 264 and amended by Act 387)

Proposed: Delete Yes

MORE CHANGES TO BE MADE TO 2005 SB 731

pp. 33 & 34— 609.65 (1) (intro.): Revisor has printed, without comment, the Act 264 version and appears to have ignored the Act 387 version; Revisor does not include treatment in any of the Rev Docs; SB 731 uses the Act 387 version

✓ Proposed: Leave SB 731 as is; ask Revisor about this treatment in statutes.

No; add Revisor language

D-N

p. 34— 813.123 (2) (b): Revisor has printed correct cross-ref in brackets and has included in Rev Doc III

✓ Proposed: Leave SB 731 as is; ask Revisor to remove from Rev Doc III?

Yes

p. 34— 813.123 (3) (b): Revisor has merged under 13.93 (2) (c) as in SB 731 and has included in Rev Doc III as having no conflicts of substance. ; *SB 731 agrees w/ Revisor version*

✓ Proposed: Leave SB 731 as is; ask Revisor to remove from Rev Doc III?

Yes

pp. 34 & 35— 813.123 (4) (a) (intro.): Revisor has printed as mutually inconsistent; SB 731 uses Act 388 version.

✓ Proposed: Leave SB 731 as is.

Yes

p. 35— 813.123 (4) (a) 2. a.: Revisor has printed as merged under 13.93 (2) (c) and has in Rev Doc III same version as in SB 731 (except has included an "or" inappropriately).

△ Proposed: Leave SB 731 as is; as Revisor to remove from Rev Doc III?

Yes

p. 35— 813.123 (4) (ar) 1.: Revisor has printed with incorrect cross-reference to 55.06, without comment, and has not included in Rev Docs.

✓ Proposed: Leave SB 731 as is.

See changes in document (strike "to the indiv. at risk under s. 55.06")

D-N

pp. 35 & 36— 813.123 (5) (a) (intro.): Revisor has printed as mutually inconsistent; SB 731 uses Act 388 version.

✓ Proposed: Leave SB 731 as is.

Yes (Fix comma)

D-N

p. 36— 813.123 (5) (ar) 1.: Revisor has printed with incorrect cross-reference to 55.06, without comment and has not included in Rev. Docs.

✓ Proposed: Leave SB 731 as is.

813.123 (5) (a) 3.b. - put in SB 731

D-N

D-N

p. 36— 813.123 (6) (c): Revisor has printed as merged under 13.93 (1) (c) with bracketed "the" and has in Rev. Doc III same language as in SB 731.

813.123 (5) (a) 3. b. - put in SB 731 - change wording from that shown by Revisor

☒ Proposed: Leave SB 731 as is; ask Revisor to remove from Rev Doc III. Yes

pp. 36 & 37— 813.123 (7): Revisor has printed as merged under 13.93 (2) (c) and has in Rev Doc III same as in SB 731, except SB 731 lacks an appropriate comma.

☒ Proposed: Leave SB 731 as is, but fix comma; ask Revisor to remove from Rev Doc III? Yes